REMARKS

The Applicants would like to thank the Examiner for review of the present application. Claims 1-39 are pending in the present application. Claims 6-11 and 17-31 were withdrawn from consideration on the basis of an election / restriction. A provisional election to prosecute claims 1-5, 12-16, and 32-39 was made by Applicant on 7/15/2004 and is hereby confirmed. Claim 1 was rejected under 35 USC 112, second paragraph as being indefinite. Claims 12-16 and 32-39 were rejected under 35 USC 103(a) as being unpatentable over Boblitz (3,351,381) as in further view of Stoll (US 6,616,242). Claims 12-16 and 32-39 were rejected under 35 USC 103(a) as being unpatentable over Nelson (6,575,406) in further view of Stoll. Claims 1-4, 12-16 and 32-39 were rejected under 35 USC 103(a) as being unpatentable over Nelson in view of Carothers (2,714,923). Further, these claims were rejected under 35 USC 103(a) as unpatentable over Boblitz in view of Carothers. Claims 1-4, 12-16, and 32-39 were rejected under 35 USC 103(a) as being unpatentable over Nelson in view of Murch (757,334).

Claim 1 rejected under 35 USC 112, second paragraph

Claim 1 was rejected under 35 USC 112, second paragraph as being indefinite. Specifically, the Examiner asserted that the use of the term "aircraft columns" is unclear and does not clearly describe the configuration of seats.

As well defined within the specification and known in the art. Seats within the aircraft are arranged into rows (going widthwise across the aircraft) and columns (lined up fore/aft). The Applicant acknowledges that the term utilized should have been "aircraft seating columns" as used within the specification and not simply "aircraft columns" as submitted in claim 1. Claim 1 has been amended to match the specification. The Applicant, however, traverses any possible assertion that the use of the term "seating columns" is any more indefinite that "seating rows" which are both well known and firmly definite in meaning.

Claims 12-16 and 32-39 rejected under 35 USC 103(a)

Claims 12-16 and 32-39 were rejected under 35 USC 103(a) as being unpatentable over Boblitz (3,351,381) as in further view of Stoll (US 6,616,242). The Examiner asserts that

Boblitz and Stoll in combination teaches child seats; four-point restraints; installing during flight operations; removable installation; and removable mounting to floor latch mounts. The Examiner then asserts that Stoll teaches a reduced dimension aircraft seat and therefore the present claims are obvious.

The Applicant respectfully traverses this rejection and requests reconsideration in light of the aforementioned amendments and following arguments. In regards to Boblitz and Stoll, the Applicant calls the Examiner's attention to the fact that the removable child seat in Stoll is only taught as an insert onto a standard sized aircraft seat (not as a reduced width aircraft seat). Therefore, it does not provide any efficiency improvements for installation into regions where a full-sized seat does not fit. On the contrary, the Stoll child seat requires the present of a fill sized airline seat for installation on-top-of. Similarly, neither Boblitz nor Stoll, despite improper assertions to the contrary, teach removably mounting such a reduced width seat to floor latches. Figure 2c of Stoll does not show anything of the nature.

The Applicant recognizes the possible source of controversy wherein the claim language as originally filed may have given way to the Examiner's assertion that the Stoll child insert was in-fact an airline seat. The Applicant has cleared this ambiguity up by the present amendments with language taken directly from the specification. Namely that there is "a region of underutilized space" wherein a standard seat cannot fit and that the "reduced dimension airline seat" has a "reduced aircraft seat width" such that it can fit within this region. This is clearly not taught by any of the cited art. The Applicant, therefore, requests reconsideration.

Claims 12-16 and 32-39 were rejected under 35 USC 103(a)

Claims 12-16 and 32-39 were rejected under 35 USC 103(a) as being unpatentable over Nelson (6,575,406) in further view of Stoll. This rejection is essentially a copy of the above with the assertions that Nelson teaches the use of rows and tapered sections. The Applicant respectfully incorporates the above traversals and arguments. The Applicant requests reconsideration in light of the present amendments. In regards to the functional language not being patentable weight, namely "to increase net aircraft passenger capacity", the Applicant strenuously objects. The principle, and claimed language, of the present invention is that it

claims unique seating structurally positioned wherein standard seating will not fit. Thus the increased seating capacity is a structural claim and should be afforded patentable weight.

Claims 1-4, 12-16 and 32-39 rejected under 35 USC 103(a)

Claims 1-4, 12-16 and 32-39 were rejected under 35 USC 103(a) as being unpatentable over Nelson in view of Carothers (2,714,923). Further, these claims were rejected under 35 USC 103(a) as unpatentable over Boblitz in view of Carothers.

The Applicant strenuously objects and traverses this rejection. The use of an add-on child seat held on to the arm of a barber's chair by gravity (Carothers) to attempt to obfuscate the novelty of a reduced width aircraft seat for children or small adults is highly improper. The liability of such a Carothers based design as implemented within an aircraft interior would be comical albeit tragic. The Applicant traverses these rejections as none of the cited references discuses regions of underutilized space within an aircraft; mounted reduced width seats within these regions; removable mounting them to the aircraft floor; using latches on the aircraft floor for removable mounting. The Applicant, therefore requests reconsideration.

Claims 1-4, 12-16, and 32-39 rejected under 35 USC 103(a)

Claims 1-4, 12-16, and 32-39 were rejected under 35 USC 103(a) as being unpatentable over Nelson in view of Murch (757,334). The Applicant traverses this rejection, seeks reconsideration in light of the amendments presented, and requests reconsideration of the present approached used to rejection the present application.

The present invention is not merely a case of "use a reduced size seat" as implied by the Examiner. The present invention is novel in that it isolates regions of aircraft design that are inefficient; claims the use of a seat that can ONLY be used for reduced size passengers; claims that seat can be removable (thus not impacting existing seating configurations or aircraft weight when not in use); providing unique market opportunities; utilizes tapered regions where full-sized seats cannot be used; using latches of the aircraft floor to attach/detach this reduced width seat; where the reduced width seat is in a row of normal seats (this allows parents to have their

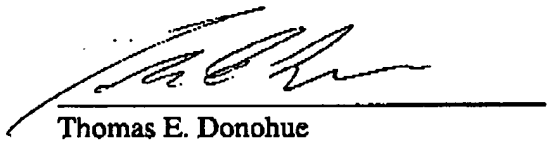
child seated right next to them without the need for purchasing a full-sized adult aircraft seat. These novel aspects should not be dismissed.

CONCLUSION

The Applicants would like to thank the Examiner for his assistance. In light of the above amendments and remarks, Applicants submit that all objections and rejections are now overcome. Applicants have added no new material to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited.

Should the Examiner have any questions or comments that would place the application in better condition for allowance, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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